

ORDINANCE NO. 3081

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE,
THE LAND USE ORDINANCE, CHAPTER 22.22 BY AMENDING
SECTIONS 22.22.150 AND SECTION 22.22.152 RELATING TO CLUSTER DIVISIONS
IN THE AGRICULTURE LAND USE CATEGORY

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 22.22.150A1b of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

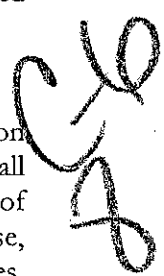
- b. To encourage the use of clustering, the **maximum** number of residential parcels allowed in a major agricultural cluster project shall be equivalent to the number of primary dwellings normally allowed on the parcels that would result from a conventional land division in the Agriculture land use category based on the minimum parcel size criteria in Section 22.22.040. Except, where Section 22.22.040B1b(4) limits the residential use, the number of parcels is instead based on two primary dwellings per parcel. A Major Agricultural Cluster project could result in a maximum parcel bonus of 100% over a conventional land division. Major Agricultural Cluster projects may be reduced down to 26 percent of the maximum potential allowance, if proposed by the applicant, in order to mitigate potential impacts of the project.

SECTION 2: Section 22.22.152C1 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

1. **Base parcel calculation.** The base parcel calculation shall be equivalent to the number of parcels that would result from a conventional land division in the Agriculture land use category based on the minimum parcel size criteria specified in Section 22.22.040 (Parcel Size - Agriculture Category).

SECTION 3. The Board of Supervisors finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

SECTION 4. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.



SECTION 5: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

INTRODUCED, PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the twenty-eighth day of February, 2006, by the following roll call vote, to wit:

AYES: Supervisors Harry L. Ovitt, Shirley Bianchi, Jerry Lenthall, James R. Patterson,
Chairperson K.H. 'Katcho' Achadjian

NOES: None

ABSENT: None

ABSTAINING: None

K.H. ACHADJIAN

Chairman of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

JULIE L. RODEWALD

County Clerk and Ex-Officio Clerk
of the Board of Supervisors
County of San Luis Obispo, State of California

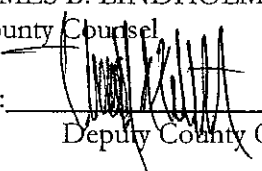
By: C.M. CHRISTENSEN Deputy Clerk

[SEAL]

ORDINANCE CODE PROVISIONS APPROVED
AS TO FORM AND CODIFICATION:

JAMES B. LINDHOLM, JR.

County Counsel

By: 
Deputy County Counsel

Dated: 2.14.06

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